UNITED STATES DEPOMENT OF COMMERCE Patent and Trademark Offic

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER REQUEST DATE FIRST NAMED APPLICANT ATTORNEY DOCKET NO. 09/775.359 6/8/01 RENGARAJAN SOUNDARARAJAN 15135.6 Title: COMPOSITION AND METHODS FOR SHIELDING RADIOACTIVITY UTILIZING POLYMER **IMMOBILIZED RADIOACTIVE WASTE** Art Unit Paper Number Correspondence Address: SAMUEL DIGIROLAMO PATENT & TRADEMARK OFFICE BLACKWELL SANDERS PEPER MARTIN LLP MAILED 720 OLIVE STREET, 24TH FLOOR ST. LOUIS, MO 63101 MAY 113 ZOOR LICENSING & REVIEW

Licensee under 35 U.S.C. 184 is hereby granted to file in any foreign country a patent application and any amendments thereto corresponding to the subject matter of this U.S. application identified above and/or any material accompanying the petition. This license is conditioned upon modification of any applicable secrecy order and is subject to revocation without notice.

License Number:

Grant Date:

528,827

. 1

03-May-02

This license is granted retroactively to the date(s) and the country(s) indicated on the attached decision.

Approved:

for Commissipher of Patents and Trademarks

This license employers the filing, the causation and the authorization of the filing of a foreign application or applications on the subject matter identified above, subsequent forwarding of all duplicate and formal papers and the prosecution of such aplication or applications.

This license is granted under 37 CFR 5.15(a)

This license is to be retained by the licensee and may be used at anytime on or after the date thereof. This license is not retroactive unless specifically indicated.

The grant of this license does not in any way lesson the responsibility of the licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations, especially with respect to certain countries, of other agencies, particularly the Department of the Treasury; Office of Munitions Control, Department of State (with respect to Arms, Munitions and Implements of War); the Bureau of Trade Regulation, Office of Export Adminstration, Department of Commerce; and the Department of Energy.

LICENSE FOR FOREIGN FILING

[Title 35, United States Code (1952) Sections 184, 185, 186]



United States Patent and Trademark Office

COMMISSIONER FOR PATENTS UNITED STATES PATENT AND TRADEMARK OFFICE WASHINGTON, D.C. 20231

In re:

Soundararajan

:DECISION ON REQUEST

Serial No.:

09/775359

:UNDER 37 CFR 5.25

Application Filing Date: February 1, 2001

Petition Filing Date:

June 8, 2001

Docket No.:

15135.8

Title: COMPOSITION AND METHODS FOR SHIELDING RADIOACTIVITY

This is a decision on the renewed petition received June 8, 2001 for retroactive foreign filing license.

It has been determined that a retroactive license for foreign filing under 35 U.S.C. 184 be granted with respect to the filing(s) listed below. The petition complies with 37 C.F.R. 5.25 in that there is an adequate showing that the subject matter in question was not under secrecy order, that the license was diligently sought, and that the material was filed abroad without the required license under 37 C.F.R 5.11 through error and without deceptive intent.

It should be noted, however, for future reference, since the PCT was filed in the US Receiving Office, it is the obligation of the Office (not Petitioner) to obtain the foreign filing license before export.

Country

Application No.

Filing Date

PCT

US01/16469

May 22, 2001

vonne R. Abbott Patent Examiner (703) 308-2866

CERTIFICATE OF EXPRESS MAIL SERVICE NO. <u>EL388608675US</u>

Date of deposit: June 6, 2001
I hereby certify that this Patent Application is being deposited with the United States Post Office, Express Mail Service Post Office to Addressee, with sufficient postage, on the date indicated above and is addressed to: License and Review, Assistant Commissioner for Patents, Washington, DC 20231.

Joanne M. Hoefert

Examiner:

Group Art Unit: 17

Attorney Docket No

Application of:

Rengarajan Soundararajan

Serial No.: 09/775,359

Filed: February 2, 2001

For: COMPOSITION AND METHODS FOR

SHIELDING RADIOACTIVITY

UTILIZING POLYMER IMMOBILIZED

RADIOACTIVE WASTE

PETITION FOR RETROACTIVE LICENSE UNDER 37 C.F.R. § 5.25

Assistant Commissioner for Patents Washington, D.C. 20231

Attn: Licensing and Review

It is respectfully requested that this Petition for license for foreign filing be granted retroactively under the provisions of 37 C.F.R. § 5.25 for the following reasons.

The above-identified corresponding U.S. Patent Application Serial No. 09/775,359 entitled COMPOSITION AND METHOD FOR SHIELDING RADIOACTIVITY UTILIZING POLYMER IMMOBILIZED RADIOACTIVE WASTE was filed February 1, 2001 identifying Mr. Rengarajan Soundararajan as the sole inventor. This application has been assigned to Group Art Unit 1754 and claims the benefit of three separate provisional patent applications, namely, U.S. Provisional Application Serial No. 60/206,853 filed May 24, 2000; U.S. Provisional Application Serial No. 60/210,393 filed June 9, 2000. In order to preserve Applicant's foreign rights and claim priority through the two-above U.S. Provisional Patent Applications filed May 24, 2000, Applicant's undersigned attorney filed a corresponding PCT International Application in the

36/12/2001 MMCHILLA 00000012 09775359

United States Receiving Office on May 22, 2001. This PCT Application has not been assigned a serial number as yet but it is an identical copy of the corresponding U.S. Patent Application Serial No. 09/775,359 identified above. Applicant is attaching hereto as Exhibit A the transmittal letter to the U.S. Receiving Office relating to the above-referenced PCT Application as well as the PCT Request identifying and designating all available foreign countries; the PCT Fee Calculation Sheet; and the PCT Power of Attorney further identifying this application. Also, Applicant has selected the United States as the international searching authority. Although a foreign filing license for filing this PCT Application in the United States Receiving Office is not required pursuant to 37 C.F.R. § 5.11, Applicant is nevertheless requesting a retroactive license effective prior to the filing date of this PCT International Application, that is, prior to May 22, 2001, as this PCT application will eventually be transmitted to a foreign patent agency. This PCT application is the only foreign application filed to date.

VERIFIED STATEMENT

In accordance with 37 C.F.R. § 5.25(a)(3)(i-iii), the following verified statements are made by the undersigned attorney:

- 1. The corresponding U.S. Patent Application Serial No. 09/775,359 filed

 February 1, 2001 was pending three months and twenty-one days prior to the filing of the above-identified corresponding PCT International Application in the United States Receiving Office.
- 2. During this time period, and as of the date of filing of this Petition, the corresponding U.S. application is not currently under a secrecy order, nor is any of the subject matter disclosed in the corresponding U.S. application currently under a secrecy order.
 - 3. The subject matter of the corresponding U.S. application relates to a composition

and method for shielding radioactivity and, more particularly, to a modified urethane/phenolic resin polymer composition shielding material capable of encapsulating and stabilizing nuclear waste within a polymeric matrix, and methods for using the polymer composition. The corresponding U.S. application also discloses several embodiments of a radiation shielded container for storing radioactive material therewithin. This application does not disclose an invention within the scope of 35 U.S.C. § 181.

- 4. In a rush to preserve Applicant's foreign rights, based upon the two above-identified U.S. Provisional Patent Applications filed on May 24, 2000, Applicant's undersigned attorney, unintentionally and without deceptive intent, filed the above-identified PCT International Application without thinking to confirm that the foreign filing license had been granted. In fact, the above-identified PCT International Application was filed before Applicant's attorney received the formal filing receipt for the corresponding U.S. application. A photocopy of the U.S. application Filing Receipt is attached hereto as Exhibit B.
- 5. As soon as Applicant's attorney reviewed the Filing Receipt attached hereto as Exhibit B, it was noticed that no foreign filing license had been granted. Applicant's attorney then prepared and filed this Petition for Retroactive License.
- 6. This Petition is being filed fifteen (15) days after the filing of the above-identified PCT International Application. As a result, the foreign filing license in this case has been diligently sought after discovery of the proscribed foreign filing.
- 7. The above-identified PCT International Application was filed in the United States Receiving Office on May 22, 2001 through inadvertent and unintentional error on the part of Applicant's attorney because the formal Filing Receipt had not yet been received by Applicant's attorney; Applicant's attorney was preoccupied with the concern that any foreign patent

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applications had to be filed prior to the March 24, 2001 convention date; and Applicant's attorney does not recall ever having been refused a foreign filing license upon issuance of the formal Filing Receipt.

- 8. The fee for filing this Petition for Retroactive License in the amount of \$130.00 is enclosed herewith. In the event that an additional fee is required, charge any additional fee required under 37 C.F.R. §§ 1.16 and 1.17 to deposit account number 11-0160 under the name of Blackwell Sanders Peper Martin LLP.
- 9. Applicant's attorney hereby states that he has personal knowledge of the acts regarding filing of the above-identified PCT International Application and Exhibit A attached hereto represents all necessary supporting documents relating to the filing of above-identified PCT International Application.
- Applicant's attorney hereby declares that all statements made herein of his own 10. knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the granting of this foreign filing license as well as the validity of the application or any patent issued thereon.

Respectfully submitted.

Samuel Digirolamo

Reg. No. 29,915

Blackwell Sanders Peper Martin LLP

720 Olive Street, 24th Floor

St. Louis, MO 63101

(314) 345-6000

Attorney for Applicant

TRANSMITTAL LET TO THE UNITED STATES RECEIVING OFFICE

Date	1
International Applicatio.	
Attomey Docket No.	15135.10

II C Department of Commerce: Patent and Tendemont Office

	Attorney Docket No. 15135.10			
I. Certification under 37 CFR 1.10 (if applicable				
EL388607900US	May 22, 2001			
Express Mail mailing number	Date of Daniel			
Addressee service under 37 CFR 1.10 on the date indicated above and	ing deposited with the United States Postal Service "Express Mail Post Office to			
100 11 On the date indicated above and i	ring deposited with the United States Postal Service "Express Mail Post Office to saddressed to Assistant Commissioner for Patents, Washington, D.C. 20231.			
Signature of person mailing correspondence	Joanne M. Hoefert			
games of potent training cyrrespondence	Typed or printed name of person mailing correspondence			
II. New International Application				
COMPOSITION AND METHODS FO RADIOACTIVITY UTILIZING PO	LYMER IMMOBILIZED			
RADIOACTIVE WASTE SCREENING DISCLOSURE INFORMATION: In	order to assist in screening the accompanying international			
other puposes, the following information is supplied. (N	ote: check as many bo xes as apply)			
The invention disclosed was not made in the United				
There is no prior O.S. application relating to this inve				
PCT/RO/101 (Request) and this listing does not con	ct matter which is related to the invention disclosed in the to these applications may or may not be claimed on form astitute a claim for priority.)			
application no. see page 3	filed on			
application no.	filed on			
D. The present international application contains addi	itional subject matter not found in the prior U.S. application(s) i dentified			
in paragraph C. above. The additional subject matter	is found on pages			
and DOES NOT ALTER MIGHT BE C	ONSIDERED TO ALTER the general nature of the invention in a			
defense agencies under 35 U.S.C. 181 and 37 CFR 5.1				
	- 50057 CFR 5.15			
III. A Response to an Invitation from the RO/US. The	following document(s) is(are) enclosed:			
A. A Request for An Extension of Time to File a Res	ponse			
B. A Power of Attorney (General or Regular)	•			
C. Replacement pages:				
pages of the request (PC	T/PO/(01)			
pages of the description	of the figures			
pages of the claims	pages of the abstract			
D. Submission of Priority Documents				
Priority document				
	Priority document			
E. Fees as specified on attached Fee Calculation sheet form PCT/RO/101 annex				
IV. A Request for Rectification under PCT 91	A Petition A Sequence Listing Diskette			
V. X Other (please specify): PCT Page 1				
	e Calculation; Application; Drawings;			
rower of Attorney Form; and a c	e Calculation; Application; Drawings; check in the amount of \$1,939.00			
Applicant	EXHIBIT			
The person Samuel Dic	urolamo E			
signing this X Attorney/Agent (Reg. No.)	Typed name of signer A			
Common Representative	Signature			

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101		·
	International Applica	tion No.
REQUEST	ļ	
	International Filing D	Pate
The undersigned requests that the present international application be processed according to the Patent Cooperation Treaty.	Name of receiving Of	ffice and "PCT International Application"
	Applicant's or agent's (if desired) (12 charac	s file reference sters maximum) 15135.10
Box No. I TITLE OF INVENTION COMPOSITION	I AND METHOD	
RADIOACTIVITY UTILIZING POLYMER I	MMOBILIZED	RADIOACTIVE WASTE
Day No. 11 Apprenticular	n is also inventor	
Name and address: (Family pame followed by given years for I	Telephone No.	
The address must include postal code and name of country. The country of the Box is the applicant's State (that is, country) of residence if no State of residence	ne address indicated in this ce is indicated below.)	417-257-2741
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Hanford Nuclear Services, Inc. #28 Court Square		417-257-2841
West Plains, Missouri 65775		Teleprinter No.
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		Applicant's registration No. with the Office
State (that is, country) of nationality:	State (that is, country)	of residence:
United States of America This person is applicant all designated all designated	United Stat	es of America
for the purposes of: all designated States all designated TX all designated the United States	States except	the United States of America only the States indicated in the Supplemental Box
Box No. III FURTHER APPLICANT(S) AND/OR (FURTH	ER) INVENTOR(S)	
Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country. The country of the address indicated in this Box is the applicant's State (that is, country) of residence if no State of residence is indicated below.) This person is:		
Soundararajan, Rengarajan	·	applicant only
1905 Wayhaven Drive		applicant and inventor

Box No. II APPLICANT This per		
This per	son is also inventor	
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Soundararajan, Rengarajan	,	applicant only
1905 Wayhaven Drive		applicant and inventor
West Plains, Missouri 65775		
US		X inventor only (If this check-box is marked, do not fill in below.)
		Applicant's registration No. with the Office
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State (that is, country) of nationality:	State (that is, country)	of residence:
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This person is applicant for the purposes of: all designated States all designated the United St		the United States the States indicated in
		of America only the Supplemental Box
Further applicants and/or (further) inventors are indicated of		
Box No. IV AGENT OR COMMON REPRESENTATIVE	OR ADDRESS FOR	CORRESPONDENCE
The person identified below is hereby/has been appointed to act of the applicant(s) before the competent International Authorities	n behalf	agent common
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Name and address: (Family name followed by given name; for a legal entity The address must include postal code and name of co	y, full official designation.	Telephone No.
Digirolamo, Samuel		314-345-6225
Blackwell Sanders Peper Martin LL	D I	Facsimile No.
720 Olive Street, Suite 2400	F	314-345-6060
St. Louis, Missouri 63101	[Teleprinter No.
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· Box No:V	DESIGNATION OF STAT	ES	Mark the applicable check-boxes be	low.	nt le	ast one must be marked
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excluded from the	ne scope of this statement. The which is not confirmed before	applicant	the designations made above, the PCT except any designation(s) in declares that those additional designation of 15 months from the priority	dicate nation	ed ii ns ar	n the Supplemental Box as being e subject to confirmation and that
		onjirmati	on (including fees) must reach the rec	eiving	g Off	ice within the 15-month time limit.)

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Box No. VI PRIORIT	Y CLAIM			
The priority of the following	ng earlier application(s) is here	eby claimed:		
Filing date of earlier application	Number of porling and line	W	here earlier application	is:
(day/month/year)	of earlier application	national application: country	regional application:* regional Office	international application receiving Office
item(I) 01.02.01 01 February 20	09 / 775,359	United States	3	
24 May 2000	60/206,853	United States	5	
item (3) 24.05.00 24 May 2000	60/206,888	United States	;	
item (4) 09.06.00 09 June 2000	60/210,393	United States of America		
item (5)				
Further priority claims	are indicated in the Suppleme	ntal Box.		
The receiving Office is requifithe earlier application was above as:	ested to prepare and transmit t filed with the Office which for t	o the International Bureau a the purposes of this internation	a certified copy of the ea onal application is the re	arlier application(s) (only ceiving Office) identified
all items item		item (3) item (4	• — • • • • • • • • • • • • • • • • • •	other, see Supplemental Box
* Where the earlier applicati Industrial Property or one M	on is an ARIPO application, in Tember of the World Trade Org	dicate at least one country p ganization for which that ear	arty to the Paris Conven rlier application was file	ation for the Protection of d (Rule 4.10(b)(ii)):
Box No. VII INTERNAT	TONAL SEARCHING AUT	HORITY		
Choice of International Sea international search, indicate ISA / . US	arching Authority (ISA) (if two- the Authority chosen; the two-	vo or more International Sea letter code may be used):	rching Authorities are co	ompetent to carry out the
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Box No. VIII DECLARAT	TIONS			
The following declarations a check-boxes below and indicate	re contained in Boxes Nos. V te in the right column the numb	III (i) to (v) (mark the appli er of each type of declaratio	icable n):	Number of declarations
Box No. VIII (i)	Declaration as to the identity	of the inventor		:
Box No. VIII (ii) Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent:				:
Box No. VIII (iii)	Declaration as to the applica date, to claim the priority of	nt's entitlement, as at the in the earlier application	nternational filing	:
Box No. VIII (iv) Declaration of inventorship (only for the purposes of the designation of the United States of America)				:
Box No. VIII (v) Declaration as to non-prejudicial disclosures or exceptions to lack of novelty :				

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Box No. IX CHECK LIST; LANGUAGE OF FILING				
Box No. IX CHECK LIST; LANGUAGE This international application contains: (a) the following number of sheets in paper form: request (including declaration sheets) : 4 description (excluding sequence listing part) : 34 claims : 19 abstract : 1 drawings : -7 Sub-total number of sheets : 65 sequence listing part of description (actual number of sheets if filed in paper form, whether or not also filed in computer readable form; see (b) below)	This international application is accompanied by the following item(s) (mark the applicable check-boxes below and indicate in right column the number of each item): 1.			
Total number of sheets: 65 (b) sequence listing part of description filed in computer readable form (i) only (under Section 801(a)(i)) (ii) in addition to being filed in paper form (under Section 801(a)(ii)) Type and number of carriers (diskette, CD-ROM, CD-R or other) on which the sequence listing part is contained (additional copies to be indicated under item 9(ii), in right column):	9. sequence listing in computer readable form (indicate also type and number of carriers (diskette, CD-ROM, CD-R or other)) (i) copy submitted for the purposes of international search under Rule 13ter only (and not as part of the international application) (ii) (only where check-box (b)(i) or (b)(ii) is marked in left column) additional copies including, where applicable, the copy for the purposes of international search under Rule 13ter (iii) together with relevant statement as to the identity of the copy or copies with the sequence listing part mentioned in left column			
	10. other (specify):			
Figure of the drawings which should accompany the abstract: 1 Language of filing of the international application: English Box No. X SIGNATURE OF APPLICANT, AGENT OR COMMON REPRESENTATIVE Next to each signature, indicate the name of the person signing and the capacity in which the person signs (if such capacity is not obvious from reading the request).				
Samuel Digirolamo Date				
1 Date of cottool receipt of the country of	For receiving Office use only			
 Date of actual receipt of the purported international application: Corrected date of actual receipt due to later but timely received papers or drawings completing the purported international application: Date of timely receipt of the required corrections under PCT Article 11(2): International Searching Authority (if two or more are competent): ISA / 		vings: eived: received:		
Date of receipt of the record copy by the International Bureau:	For International Bureau use only			

This shee. not part of and does not count as a sheet of the international application.

PCT

FEE CALCULATION SHEET

International Application No.		

For receiving Office use only

Annex to the Request	International Application No.		
Applicant's or agent's			
file reference	Date stamp of the receiving Office		
15135.10	Date stamp of the receiving Office		
Applicant			
Hanford Nuclear Services, Inc.			
CALCULATION OF PRESCRIBED FEES			
1. TRANSMITTAL FEE	<u>\$240.00</u> T		
2. SEARCH FEE			
International search to be carried out by US	· · · · L\$450.00 S		
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3. INTERNATIONAL FEE			
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number of sheets fee per sheet in excess of 30			
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(Applicants from certain States are entitled to a reduction of 75%	6 of the		
international fee. Where the applicant is (or all applicants are) so entitled, to be entered at I is 25% of the sum of the amounts entered at B and D.	the total)		
4. FEE FOR PRIORITY DOCUMENT (if applicable)	\$60.00 P		
5. TOTAL FEES PAYABLE	\$1,939.00		
Add amounts entered at T, S, I and P, and enter total in the TOTAL be	ox TOTAL		
The designation fees are not paid at this time.			
MODE OF PAYMENT			
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This mode of payment may not be available at all receiving Offices) Receiving Office: RO/ US			
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-	Date: May 22, 2001		
of the receiving Office so permit) Authorization to charge any deficiency			
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PCT/PO/101 (A) (A (1 2001)			

PCT

POWER OF ATTORNEY

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(PCT Rule 90.4)

The undersigned applicant(s) (Names	s should be indicated as they appear in the reques).	
#28 Court S	lear Services, Inc.	
west riains	, Missouri 65775	-
hereby appoints (appoint) the followi	ng person as: X agent	common representative
Name and address (Family name followed by given name; for	r a legal entity, full official designaon. The address	must include postal code and name of country.)
Samuel Digirolamo, Brandau, Mark E. St	Lawrence E. Evans, Rober allion, Kyle L. Elliott,	t J. Lewis, Rebecca J. and Susan M. Myers
•	Blackwell Sanders Peper 720 Olive Street, Suite St. Louis, Missouri 6310 United States of America	2400
to represent the undersigned before	X all the competent l	International Authorities
	the International S	searching Authority only
	the International P	reliminary Examining Authority only
in connection with the international ap	plication identified below:	
Title of the invention:	Composition And Methods	For Shiolding
Radioactivity Waste	Utilizing Polymer Immob:	ilized Radioactive
·	le reference: 15135.10	
International application	n number (if already available):	
filed with the following Office US		as receiving Office
and to make or receive payments on bel	palf of the undersigned.	
Signature of the applicant(s)(where ther and the cap	re are several applicants, each of them must sign; next to pacity in which the person signs, if such capacity is not ob	each signature, indicate the name of the person signing vious from reading the request or this power):
Name: Title: President		
Date: 5/18/200/		



27128

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APPLICATION NUMBER FILING DATE **GRP ART UNIT** FIL FEE REC'D ATTY.DOCKET.NO DRAWINGS TOT CLAIMS IND CLAIMS 09/775.359 02/01/2001 1754 2572 15135.6 33

CONFIRMATION NO. 5978

FILING RECEIPT

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BLACKWELL SANDERS PEPER MARTIN LLP 720 OLIVE STREET, SUITE 2400 ST. LOUIS, MO 63101

Date Mailed: 05/10/2001

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Applicant(s)

Rengarajan Soundararajan, West Plains, MO;

Domestic Priority data as claimed by applicant

THIS APPLN CLAIMS BENEFIT OF 60/206,853 05/24/2000 AND CLAIMS BENEFIT OF 60/206,888 05/24/2000 AND CLAIMS BENEFIT OF 60/210,393 06/09/2000

Foreign Applications

Projected Publication Date: To Be Determined - pending completion of Corrected Papers

Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

EXHIBIT

Title

Composition and methods for shielding radioactivity utilizing polymer immobilized radioactive waste

Preliminary Class 588

Data entry by : TERFA, SEBLE

Team : OIPE

Date: 05/10/2001

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